



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 02-3308
November 27, 2002

COMMENTS INVITED ON LIGHTYEAR COMMUNICATIONS, INC.
APPLICATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS
SERVICES

Comp. Pol. File No. 623

Comments Due: December 11, 2002

Section 214 Application

Applicant: Lightyear Communications, Inc.

On **November 12, 2002**, **Lightyear Communications, Inc.** (Lightyear or Applicant) located at **1901 Eastpoint Parkway, Louisville, Kentucky 40223**, filed an application with the Federal Communications Commission (FCC or Commission), requesting authority under section 214(a) of the Communications Act of 1934, as amended,¹ and section 63.71 of the Commissions rules² to discontinue providing certain of its domestic telecommunications services.

According to the application, Lightyear seeks to discontinue providing private line service, frame relay and 1+ dedicated services, which it is currently providing to a select group of customers over the network of Williams Communications (Williams Network) in the states of California, Colorado, Florida, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Texas, Tennessee and Utah. According to the application, Lightyear will continue to offer private line services, frame relay and 1+ dedicated service using the networks of carriers other than Williams Communications. Lightyear states that it may, in some circumstances, encourage its current customers that are receiving services over the Williams' Network to move to another underlying carrier of Lightyear. According to the application, Lightyear provided affected customers with written notification by letter dated November 8,

¹ 47 U.S.C. § 214(a).

² 47 C.F.R. § 63.71.

2002 in compliance with section 63.71(a).³ Lightyear states that it plans discontinue service on or about December 31, 2002.

In accordance with section 63.71(c), the application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this notice, unless the Commission has notified Applicant that the grant will not be automatically effective.⁴ The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a “permit but disclose” proceeding for purposes of the Commission's *ex parte* rules.⁵ Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **December 11, 2002**. Such comments should refer to **Comp. Pol. File No. 623**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. The original and four (4) copies of the comments should be sent to the Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Room 6-A207, Washington, DC 20554, Attention: Carmell Weathers. In addition, Comments should be served upon Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: John Adams.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW, Room

³ 47 C.F.R. § 63.71(a).

⁴ 47 C.F.R. § 63.71(c).

⁵ See generally 47 C.F.R. §§ 1.1200 - 1.1216.

CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail at **qualexint@aol.com**.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [**cweather@fcc.gov**](mailto:cweather@fcc.gov), or John Adams (202) 418-0394 (voice), [**jkadams@fcc.gov**](mailto:jkadams@fcc.gov), of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding Section 214 please visit [**http://www.fcc.gov/wcb/cpd/other_adjud**](http://www.fcc.gov/wcb/cpd/other_adjud)

-FEDERAL COMMUNICATIONS COMMISSION-